

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 MARGARET LOUISE SIMPSON,

5 Plaintiff,

6 v.

7 CAROLYN W. COLVIN,

8 Defendant.

Case No. 2:16-CV-01074-APG-GWF

**ORDER ACCEPTING REPORT AND
RECOMMENDATION, DENYING
MOTION TO AFFIRM, AND
GRANTING MOTION TO REMAND**

(ECF Nos. 15, 25, 28)

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10 On December 12, 2017, Magistrate Judge Foley entered a report and recommendation
11 recommending that plaintiff Margaret Louise Simpson's motion to remand to the Social Security
12 Administration be granted and that the defendant's motion to affirm be denied. ECF No. 28.

13 No one filed an objection. Thus, I am not obligated to conduct a de novo review of the
14 report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo
15 determination of those portions of the report or specified proposed findings to which objection is
16 made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the
17 district judge must review the magistrate judge's findings and recommendations de novo *if*
18 *objection is made*, but not otherwise" (emphasis in original)).

19 IT IS THEREFORE ORDERED that Magistrate Judge Foley's report and
20 recommendation (**ECF No. 28**) is **accepted**, defendant's motion to affirm (**ECF No. 25**) is
21 **DENIED**, plaintiff's motion to remand (**ECF No. 15**) is **GRANTED**, and this matter is
22 remanded to the Social Security Administration for further proceedings consistent with
23 Magistrate Judge Foley's report and recommendation.

24 DATED this 5th day of January, 2018.

25 
26 ANDREW P. GORDON
27 UNITED STATES DISTRICT JUDGE
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